

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

VELERON HOLDING, B.V.,

Plaintiff,

-against-

BNP PARIBAS SA, et al.,

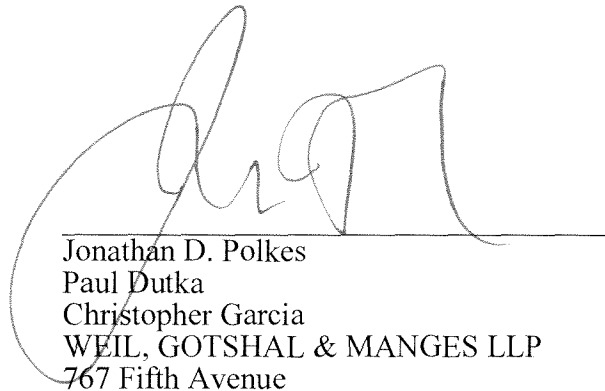
Defendants.

Civ. No. 12-5966 (CM)

**NOTICE OF MOTION TO DISMISS FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that upon the accompanying Defendants Morgan Stanley, Morgan Stanley Capital Services, Inc., Morgan Stanley & Co., Inc., and Morgan Stanley & Co.'s ("Morgan Stanley") Memorandum of Law in Support of Their Motion to Dismiss Plaintiff's First Amended Complaint and Declaration of Jonathan D. Polkes in support thereof and accompanying exhibits, the undersigned, on behalf of Morgan Stanley hereby moves this Court, before the Honorable Colleen McMahon, United States District Judge, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 for an order dismissing the First Amended Complaint with prejudice pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure and the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(b), or for such other relief as this Court may deem just and proper.

Dated: New York, New York  
January 18, 2013



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